

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

CARL McDONALD, Jr., et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 4:06CV01332 ERW
	)	
DORN SCHUFFMAN, et al.,	)	
	)	
Defendants.	)	

ORDER AND MEMORANDUM

This matter is before the Court upon the application of plaintiffs for leave to commence this action without payment of the required filing fee [Doc. #1].

Pursuant to 28 U.S.C. § 1915(a)(1), a person seeking to proceed in forma pauperis must "submit[] an affidavit that includes a statement of all assets such [person] possesses that the person is unable to pay such fees or give security therefor."

There are four plaintiffs in this case. Each are required to file an affidavit pursuant to 28 U.S.C. § 1915(a)(1). However, only one plaintiff, Carl McDonald, has filed the required affidavit. As a result, the Court is unable to determine whether the remaining plaintiffs are unable to pay the filing fee. 28 U.S.C. § 1915(a)(1).

Accordingly,

**IT IS HEREBY ORDERED** that, in addition to a copy of this Order, the Clerk of the Court shall provide plaintiffs with three copies of CJA Form 23 (financial affidavit).

**IT IS FURTHER ORDERED** that plaintiffs shall have twenty (20) days from the date of this Order to pay the Court's filing fee of \$350.00 or to submit the required affidavits.

**IT IS FURTHER ORDERED** that the Court will dismiss this case, without prejudice, if, within twenty (20) days, plaintiffs fail to pay the filing fee or to submit fully completed affidavits.

So Ordered this 8th Day of November, 2006.

  
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E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE